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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 23, 2002

PETITION OF

NORTHERN VIRGINIA UTILITY
PROTECTION SERVICE, INC.

and

CASE NO. PUE-2002-00421

VIRGINIA UNDERGROUND UTILITY
PROTECTION SERVICE, INC.

For waiver and extension of time

APPLICATION OF

NORTHERN VIRGINIA UTILITY
PROTECTION SERVICE, INC.

and

CASE NO. PUE-2002-00525

VIRGINIA UNDERGROUND UTILITY
PROTECTION SERVICE, INC.

For approval of notification
call center performance
standards

ORDER PRESCRIBING NOTICE AND INVITING
COMMENTS AND/OR REQUESTS FOR HEARING

On August 5, 2002, Northern Virginia Utility Protection Service, Inc. ("NVUPS"), and the Virginia Underground Utility Protection Service, Inc. ("VUUPS") (collectively, "Notification Centers" or the "Applicants") filed a Petition with the State

Corporation Commission ("Commission"), that, among other things requested a waiver of Rule 20 VAC 5-300-90 A 6.¹

On August 14, 2002, the Commission issued its "Order on Waiver and Request for Extension of Time". In that Order, among other things, the Commission granted an extension of time until September 5, 2002, in which NVUPS and VUUPS would file their proposed performance standards with the Commission. Ordering Paragraph (2) of the August 14, 2002, Order provided that a separate docket be established for review of these performance standards when they were filed. The August 14, 2002, Order also directed that NVUPS file on or before September 5, 2002, the performance standards for it, together with its current vendor, for approval by the Commission.

On September 5, 2002, NVUPS and VUUPS filed their proposed performance standards with the Commission for approval. According to the Notification Centers, VUUPS and NVUPS have recently created Virginia Utility Protection Service, LLC ("VUPS") to operate both notification centers. VUPS commenced operation of the VUUPS call center on July 1, 2002, and NVUPS anticipates that VUPS will commence operation of the NVUPS call center beginning July 1, 2003. NVUPS and VUUPS advised that

¹ Rule 20 VAC 5-300-90 A 6 of the Commission's Rules governing certification, operation, and maintenance of notification center or centers ("Rules") requires notification centers currently holding certificates to file with the Commission for its approval proposed performance standards within 60 days of June 7, 2002, i.e., by August 6, 2002.

VUPS participated in the development of the proposed performance standards.

According to the Applicants, three performance standards were being submitted as a means of measuring the minimum standards of performance for both the VUUPS and NVUPS, the certificated notification centers. As explained by the Notification Centers, performance data will be accumulated and averaged over a calendar month and will apply only to incoming "live" calls for locate requests. Other calls will not be tracked for reporting purposes. The Applicants advised that although the goal is to have one-third to one-half of the tickets submitted via web ticket entry in order to promote enhanced mapping service and automatic ticket generation, performance data from electronic means of communications will not be included in determining the overall monthly statistics for the centers.

According to the Notification Centers, the average speed of answer will be calculated from the time a caller completes an option from the initial automated attendant until a "live" operator is available to assist the caller. In the event an automated attendant is not utilized, the average speed of answer will begin at the time the call arrives at the call switch. Any additional time required due to internal transfers of an incoming call, prior to determining the nature of the call, will

be part of the calculation for the average speed of answer. The average speed of answer for tickets will be calculated during regular business hours 7:00 a.m. to 5:00 p.m. on business days (which excludes weekends and state and federal holidays). The applicants explained that their proposed performance standards were designed for normal center operations. The Applicants further noted their internal performance goals are aimed at meeting or exceeding the recommended targets set forth by the U.S. Department of Transportation's Common Ground Report.

The Applicants propose the following performance standards for normal notification center operation:

INDEX	PROPOSED PERFORMANCE STANDARD
Average Speed of Answer	45 seconds
Percent of Abandoned Calls	5% or less on calls with an average delay in queue greater than 60 seconds
Busy Signal Rate	Not to exceed more than 2% of total incoming call volume

With respect to the "Customer Satisfaction" index, the Applicants propose to attend and support the Damage Prevention Committees ("DPC") developed by the Commission that meet periodically throughout the Commonwealth. VUUPS and NVUPS proposed that the agendas at each DPC meeting include an opportunity for customers to discuss their needs. These discussions, according to the Applicants, will be brought to the attention of VUPS management for evaluation. The Applicants also propose to distribute surveys to attendees at the DPC

meetings to critique the notification center's performance. Summaries of the customers' discussions and surveys will be provided to the Board of Directors of VUUPS and NVUPS for final evaluation. The Notification Centers proposed to accumulate and submit this data to the Commission's Staff as part of quarterly reports detailing the notification centers' experience with their performance standards as follows:

January 1st through March 31st
April 1st through June 30th
July 1st through September 30th
October 1st through December 31st

The Applicants proposed that these reports be post-marked or e-mailed by no later than the 15th day of the month following the end of the quarter.

NOW UPON CONSIDERATION of the Notification Centers' performance standards, the Commission is of the opinion and finds that a new docket should be established for consideration of these standards and a procedural schedule established as prescribed herein. We further find that the Applicants should be directed to give notice to the public of their proposed performance standards and that interested parties should be given an opportunity to file comments and/or a request for a hearing on the proposed performance standards. Further, we will direct the Commission Staff to investigate the proposed

performance standards, and file a report, which may take the form of testimony, if appropriate, in the captioned matter.

Accordingly, IT IS ORDERED THAT:

(1) The proposed Performance Standards for VUUPS and NVUPS appended to the September 5, 2002 cover letter filed in Case No. PUE-2002-00421 shall be docketed and associated with the following case, Case No. PUE-2002-00525.

(2) A copy of the proposed Performance Standards for VUUPS and NVUPS, this Order, as well as other documents now or hereafter filed in this matter, shall be made available for public inspection in the Commission's Document Control Center, located on the First Floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23218, between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday.

(3) On or before November 15, 2002, the Notification Centers shall file with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2119, Richmond, Virginia 23218-2118, an original and fifteen (15) copies of the direct testimony, exhibits, and other materials, that they intend to rely on in support of their proposed performance standards.

(4) Upon written request received by the Notification Centers' counsel, the Applicants shall provide a copy of their proposed performance standards, testimony, and this Order at no

cost to the requesting party. If acceptable to the requesting party, the Applicants may provide these copies to the party making the request by electronic means.

(5) On or before December 11, 2002, any interested party wishing to comment or request a hearing on the Notification Centers' proposed standards of performance shall file an original and fifteen (15) copies of written comments or requests for a hearing with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Interested parties shall refer in their filed papers to Case No. PUE-2002-00525, and shall serve a copy of such comments or requests on or before December 11, 2002, upon counsel for the Notification Centers, Guy T. Tripp, III, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; and John C. McGranahan, Jr., Esquire, Hunton & Williams, 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102.

(6) Any request for hearing shall state why the issues raised in the request for hearing cannot be adequately addressed in written comments. If no sufficient request for hearing is received, the Commission may consider the Notification Centers' request for approval of their performance standards based upon the papers filed herein without convening a hearing at which oral testimony is received.

(7) On or before December 11, 2002, persons who file a request for hearing and expect to participate as a respondent should a hearing be scheduled in the matter shall also file a notice of participation as required by Rule 5 VAC 5-20-80 B of the Commission's Rules of Practice and Procedure ("Rules"). All notices of participation shall be filed with the Clerk of the Commission and shall refer to Case No. PUE-2002-00525. A copy of any notice of participation shall be served on or before December 11, 2002, on counsel for the Notification Centers, Guy T. Tripp, III, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; and John C. McGranahan, Jr., Esquire, Hunton & Williams, 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102.

(8) On or before December 23, 2002, the Commission Staff shall investigate the Notification Centers' proposed performance standards and shall file with the Clerk of the Commission a report, which may take the form of testimony, if appropriate, on the proposed performance standards. A copy of the same shall be served upon counsel for the Notification Centers and other parties of record.

(9) On or before November 15, 2002, the Notification Centers shall cause the following notice to be published as display advertising (not classified) on one occasion in newspapers of general circulation throughout the geographic

areas of the Commonwealth of Virginia for which each
Notification Center holds a certificate:

NOTICE TO THE PUBLIC OF A REQUEST FOR
APPROVAL OF NOTIFICATION CENTER PERFORMANCE
STANDARDS FILED BY NORTHERN VIRGINIA UTILITY
PROTECTION SERVICE, INC., AND VIRGINIA
UNDERGROUND UTILITY PROTECTION SERVICE, INC.
CASE NO. PUE-2002-00525

On September 5, 2002, Northern Virginia
Utility Protection Service, Inc. ("NVUPS")
and the Virginia Underground Utility
Protection Service, Inc. ("VUUPS")
(collectively, "Notification Centers" or the
"Applicants") filed their proposed
notification center performance standards
with the State Corporation Commission
("Commission") for approval.

Rule 20 VAC 5-300-90 A 6 of the
Commission's Rules governing certification,
operation, and maintenance of notification
center or centers requires notification
centers currently holding certificates to
seek approval of their performance standards
by the Commission. NVUPS is the
notification center certificated to serve in
the general geographic area of the
Commonwealth north of the Rappahannock
River. VUUPS is the notification center
certificated to serve in the general
geographic area of the Commonwealth south of
the Rappahannock River. A notification
center is an organization whose membership
is open to all utility operators
("operators") of underground utility lines
located within the notification center's
designated service area. The notification
center maintains a database, provided by its
member operators, that includes the
geographic areas in which utility operators
desire transmission of notices of proposed
excavation. A notification center notifies
operators when proposed excavations are

planned in locations where operators have underground utility facilities.

The Applicants have proposed the following standards for normal notification center operation:

INDEX	PROPOSED PERFORMANCE STANDARD
Average Speed of Answer	45 seconds
Percent of Abandoned Calls	5% or less on calls with an average delay in queue greater than 60 seconds
Busy Signal Rate	Not to exceed more than 2% of total incoming call volume

As explained by the Notification Centers, performance data will be accumulated and averaged over a calendar month and will apply only to incoming "live" calls for locate requests. The Applicants proposed that other calls will not be tracked for reporting purposes. They advised that although the goal is to have one-third to one-half of the tickets submitted via web ticket entry in order to promote enhanced mapping services and automatic ticket generation, performance data from electronic means of communications will not be included in determining their overall monthly statistics.

According to the Notification centers, the average speed of answer for calls will be calculated from the time an incoming caller completes an option from the initial automated attendant until a "live" agent is available to assist the caller. In the event an automated attendant is not utilized, the average speed of answer will begin at the time the incoming call arrives at the call switch. Any additional time required due to internal transfers of an incoming call, prior to determining the nature of the call will be added to the average speed of answer. The Notification Centers

propose that the average speed of answer for tickets will be calculated during regular business hours of 7:00 a.m. to 5:00 p.m. on business days (which excludes weekends and state and federal holidays). The Applicants noted that their proposed performance standards were designed for normal operations.

In addition, the Applicants summarized their proposals to gather information on their customers' needs and feedback on the Notification Centers' performance. They proposed to submit data to the Commission as part of quarterly reports accumulated for the following periods:

January 1st through March 31st
April 1st through June 30th
July 1st through September 30th
October 1st through December 31st

The Applicants proposed that these reports would be post-marked or e-mailed by no later than the 15th day of the month following the end of the quarter. The details of these and other proposals are set forth in the Notification Centers' proposed performance standards. Interested persons are encouraged to review these standards for their details.

Interested persons may review a copy of the Notification Centers' proposed performance standards and the Commission's Order Prescribing Notice and Inviting Comments and/or Requests for Hearing in the Commission's Document Control Center, located on the First Floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday. A copy of the proposed standards of performance may also be obtained at no cost by interested persons by requesting the same from counsel for the Applicants, Guy T. Tripp, III, Esquire, Hunton & Williams, Riverfront

Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074, and John C. McGranahan, Jr., Esquire, Hunton & Williams, 1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102.

On or before December 11, 2002, any interested person wishing to comment and/or request a hearing on the Notification Centers' proposed performance standards shall file an original and fifteen (15) copies of written comments and/or a request for hearing with the Clerk of the Commission at the address set forth below and shall serve a copy of any such filed papers, on or before December 11, 2002, on counsel for the Notification Centers at the address set forth above. Any request for hearing shall state why the issues raised by the request cannot be addressed in written comments. If no sufficient request for hearing is received, the Commission may consider the Notification Centers' proposed performance standards based upon the papers filed herein without convening a hearing at which oral testimony is received.

On or before December 11, 2002, interested persons, who file a request for hearing and expect to participate as a respondent should a hearing be scheduled in this matter, shall also file with the Clerk of the Commission at the address set forth below a notice of participation as required by Rule 5 VAC 5-20-80 B of the Commission's Rules of Practice and Procedure and shall serve a copy of the same upon counsel for the Notification Centers.

Interested parties shall refer in all of their filed papers to Case No. PUE-2002-00525. All comments, requests for hearing, and/or notices of participation shall be filed with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and shall simultaneously be served on

counsel for the Notification Centers, at the addresses set forth above.

Official copies of the Commission's Order Prescribing Notice and Inviting Comments and/or Requests for Hearing may be obtained from the Commission's Document Control Center at the address set forth above. The unofficial text of the Commission's Order Prescribing Notice and Inviting Comments and/or Requests for Hearing and other orders entered herein, the Commission's Rules of Practice and Procedure, as well as other information concerning the Commission and the statutes it administers, may be reviewed on the Commission's website <http://www.state.va.us/scc/index.htm>

NORTHERN VIRGINIA UTILITY PROTECTION
SERVICE, INC. AND VIRGINIA UNDERGROUND
UTILITY PROTECTION SERVICE, INC.

(10) On or before November 15, 2002, the Notification Centers shall serve copies of their proposed performance standards and this Order on their current vendors providing primary notification center service to the Applicants and on the Chairman of the Board of Supervisors of any county and on the mayor or manager of any city or town (or on equivalent officials in counties, towns, and cities having alternate forms of government) in the geographic areas for which NVUPS and VUUPS hold certificates as notification centers. Service shall be made by first-class mail or delivery to the customary place of business or residence of the person served.

(11) The Notification Centers shall respond to written interrogatories within five (5) calendar days after the receipt of the same. Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure.

(12) On or before December 30, 2002, the Notification Centers shall file with the Clerk of the Commission proof of the publication and service required herein.